

PROB 12C  
(7/93)

Report Date: September 26, 2011

FILED IN THE

U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

## United States District Court

for the

SEP 27 2011

Eastern District of Washington

JAMES R. LARSEN, CLERK  
DEPUTY

SPOKANE, WASHINGTON

## Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Martin Anthony White

Case Number: 2:06CR02020-001

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable William Fremming Nielsen, Senior U.S. District Judge

Date of Original Sentence: 7/13/2006

Original Offense: Felon in Possession of a Firearm, 18 U.S.C. § 922(G)(1)

Original Sentence: Prison - 64 Months;  
TSR - 36 Months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Gregory M. Shogren

Date Supervision Commenced: 3/24/2011

Defense Attorney: Alex B. Hernandez, III

Date Supervision Expires: 3/23/2014

## PETITIONING THE COURT

**To issue a warrant.**

The probation officer believes that the offender has violated the following conditions of supervision:

Violation Number      Nature of Noncompliance

1      **Special Condition # 17:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

**Supporting Evidence:** Mr. White tested positive for amphetamine and methamphetamine on September 7, 2011. This specimen was confirmed positive for the illegal substance by Alere Toxicology Services, Incorporated.

2      **Standard Condition # 9:** The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer.

**Supporting Evidence:** On August 29, 2011, Mr. White associated with another known felon.

On August 29, 2011, Yakima police officers pulled behind a white van to initiate a traffic stop. As the officers turned on the overhead light of the patrol vehicle, the van pulled into a parking lot. The passenger door open and the passenger attempted to exit. The vehicle

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then suddenly sped away and the passenger door closed. The vehicle was traveling at a high rate of speed and was weaving all over the road. As the vehicle slowed down to make a turn, the passenger door again flung open and the passenger, Mr. White, rolled out of the vehicle and was arrested. The van continued to flee, but officers were able to locate the vehicle and arrest a subject who was booked into the Yakima County Jail for felony eluding. No charges were filed again Mr. White and he was later released. The subject Mr. White was with while eluding police has an extensive criminal history and the defendant was not approved to associate with this individual.

3      **Standard Condition # 11:** The defendant shall notify the probation officer within 72 hours of being arrested or questioned by a law enforcement officer.

**Supporting Evidence:** Mr. White failed to report law enforcement contact within 72 hours of being detained on August 29, 2011.

4      **Special Condition # 14:** You shall complete a mental health evaluation and follow any treatment recommendations, including taking prescribed medications, as recommended by the treatment provider. You shall allow reciprocal release of information between the supervising probation officer and treatment provider. You shall contribute to the cost of treatment according to your ability.

**Supporting Evidence:** Mr. White has failed to provide verification he is participating in mental health counseling at Neighborhood Health Services as of August 20, 2011.

Mr. White reported he is receiving mental health counseling services at Neighborhood Health Services in Yakima, Washington. The defendant was directed to provide verification of the services he is receiving, but has yet to do so.

5      **Special Condition # 17:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

**Supporting Evidence:** Mr. White failed to report to Merit Resource Services for a random urinalysis test on September 20, 2011.

6      **Mandatory Condition # 6:** If this judgment imposes a fine or a restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Schedule of Payments set forth in the Criminal Monetary Penalties sheet of this judgment.

**Supporting Evidence:** Mr. White has failed to make a payment towards his Court ordered special assessment as of September 26, 2011.

On March 30, 2011, Mr. White signed an agreement to pay his special assessment at a rate of \$15 per month starting July 2011. Mr. White has failed to make any payments toward this obligation.

7      **Standard Condition # 6:** The defendant shall notify the probation officer at least 10 days prior to any change in residence or employment.

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**Supporting Evidence:** Mr. White has failed to report a change of address as of September 26, 2011.

On September 26, 2011, this officer attempted to contact the defendant. The defendant's aunt advised that Mr. White has not been staying at her residence since September 19, 2011. She further related she does not know his current whereabouts.

The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the defendant to answer the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 09/26/11

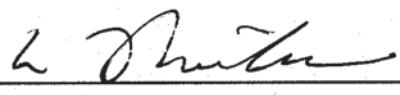
s/Jose Zepeda

Jose Zepeda  
U.S. Probation Officer

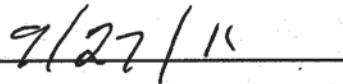
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**THE COURT ORDERS**

- No Action
- The Issuance of a Warrant
- The Issuance of a Summons
- Other

  
L. Zepeda

Signature of Judicial Officer

  
9/27/11

Date